

THE LAW OF MOSES

Written by

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Based on the novel The Law of Moses written by Kwen D. Griffeth

FADE IN:

JULY 1886

EXT. - MAIN STREET, PUEBLA FRESCA, NEW MEXICO - NOON

We are on Main Street in Puebla Fresca, an Old West town. It's at least 100 degrees, in the shade. TOWNSPEOPLE and horses are milling around going about their business in a leisurely way; no one seems to be in a hurry. It's dead calm.

Most of the buildings are adobe, but there are a few plank structures mixed in. The main intersection, the center of town, has a Saloon and Eatery on the northeast corner. The Marshall's office, which resembles a bunker, is on the southwest corner. On the northwest corner sits the General Store with the Bank alongside it.

Two OUTLAWS saunter out of the Saloon and into the street. They walk towards the Marshall's Office and stand right in front of it. A couple of riders pass close by them stirring up a cloud of hot dust.

We see the door to the Marshall's Office open. SAMUEL MOSES CARDIFF, 40ish, wearing a grey Confederate hat, slowly walks out and closes the door behind him. Moses looks at the two Outlaws, lets out a heavy sigh and walks into the street, ten paces away from and facing the Outlaws.

When the Townspeople see Moses emerge from his office and walk into the street, they scatter like cockroaches under a bright light. In less than a minute the once semi-busy street is empty other than for Marshall Moses and the Outlaws.

OUTLAW 1

Heard at the saloon you've been
lookin' for us, Marshall. We ain't
hard to find.

SAMUEL MOSES CARDIFF

You boys are spending money that
don't belong to you. People in
Durango want it back.

OUTLAW 1

You'd be better off to let us step
past you and be on our way.

SAMUEL MOSES CARDIFF

Any stepping will have to be over
me, not past.

OUTLAW 1

You think you can kill us both?

SAMUEL MOSES CARDIFF

That's what they pay me to do.

The Outlaws laugh nervously. From the looks of them, these two are crapping their pants. Moses, by contrast, looks as steady and confident as a man could possibly be. He isn't visibly perspiring in the sweltering heat. The Outlaws have sweat pouring down their faces. Their shirts are thoroughly soaked.

The Outlaws move ten feet apart. They don't say another word, but they look at each other and nod. They're ready. Half a second later Outlaw 1 goes for his gun and Outlaw 2 follows suit. In one smooth motion, so fast it does not seem humanely possible, Moses pulls his gun and fires off two shots in rapid succession. Each bullet finds its mark in an Outlaw's forehead. The Outlaws drop in two dusty heaps - they're dead before they hit the ground. Moses is unhurt - only one shot was fired at him and it missed by a wide mark.

Moses walks over to the two Outlaws, makes sure that they are dead and collects their guns. Looking down at the corpses he says,

SAMUEL MOSES CARDIFF (CONT'D)

To die, to sleep; to sleep
perchance to dream; ay, there's the
rub; for in that sleep of death
what dreams may come.

Townspople emerge from the buildings. ED WEST, Saloon keeper, 40s, big bodied, barrel chested, walks up to Moses and says,

ED WEST

I'll take care of them.

SAMUEL MOSES CARDIFF

Send me the bill for their burial.
Have their horses taken to the
livery.

ED WEST

As usual, Marshall.

Without saying another word or acknowledging anyone else, Moses turns and walks back towards his office. From his demeanor and appearance, you would not know Moses had just gunned down two men - he looks like a man going about his business on a typical afternoon.

INT. - MARSHALL MOSES' OFFICE, PUEBLA FRESCA - DAY

After he walks inside, hangs up his hat, takes off his guns and looks around, Moses peeks outside once more and then shuts the door completely. He bolts the door and walks to the back of the jail where he cannot be seen or heard.

Collapsing into a heap on the floor, Moses exclaims,

SAMUEL MOSES CARDIFF
 Why God? Why couldn't one of them
 be the one? Why must You torture me
 so?

Moses shakes all over and wails. He's experiencing a storm of emotions - anger, frustration and pain. He is the opposite of the man he appeared to be only moments ago on the street - he is incapacitated by perturbation.

LATE MAY 1861

INT. - ON A TRAIN EN ROUTE TO ELMIRA, NEW YORK - DAY

Young Samuel Moses Cardiff, 22, is on a train heading to his hometown of Elmira. Samuel is dressed in a nice suit coat and hat. Dressed in rougher attire and sitting across from him are YOUNG MAN 1 and YOUNG MAN 2, both about his same age. They are busy talking with each other and take no notice of Samuel.

Young Man 1 has a newspaper in his hand that he is waving around excitedly. The headline reads "Rebs Fire on Ft. Sumter".

YOUNG MAN 1
 Those dirty seesech scum! I can't
 wait to put some hot lead into
 those traitors.

YOUNG MAN 2
 You enlisted already?

YOUNG MAN 1
 Yep, They're gathering up regiments
 in Buffalo. You in?

YOUNG MAN 2
 Of course... I mean not yet. We
 gotta lick those Rebs for sure.

YOUNG MAN 1

You only sign up for a year. We'll
kick their backsides in two weeks.
The War will be over by the Fall.
We can wear our uniforms to the
harvest dances.

Young Man 2 seems unsure about all this and clearly does not share Young Man 1's over the top patriotic fervor. However, he also clearly does not want to express his skepticism with his friend or with anyone listening to them on the train.

The two Young Men look over at Samuel and smile. Samuel nods, but he does not engage in a conversation with them.

TRAIN CONDUCTOR

Elmira Station!

Young Man 1 drops his newspaper as he and Young Man 2 get up to move toward the train car's exit. Samuel picks up the paper and glances at it. We see the headline and sub-headlines. One of the sub-headlines reads "Lincoln calls for 75,000 volunteers." Samuel folds up the newspaper and sticks it under his arm as he makes his way to the exit.

EXT. - ELMIRA TRAIN STATION - DAY

Waiting for Samuel on the platform at the train station are his mother ELISABETH CARDIFF, mid 40s, his sister JOANNA CARDIFF 17, his brother LUKE CARDIFF, 19 and PATSY BROWN, 17.

The Cardiff family exchanges hugs all around.

LUKE CARDIFF

Samuel, I want to enlist. I'm ready
to fight for God and country.

SAMUEL MOSES CARDIFF

Really? Would Father approve of you
joining up? By the way, where is
Pa?

Elisabeth, Joanna, Patsy and Luke exchange shocked looks.

ELISABETH CARDIFF

You did not receive our letter?

SAMUEL MOSES CARDIFF

What letter?

What was a homecoming celebration now takes on a somber tone.

ELISABETH CARDIFF
 Samuel, your father passed away two
 months ago.

SAMUEL MOSES CARDIFF
 (stunned)
 What?

ELISABETH CARDIFF
 He collapsed at the church. The
 doctor said it was his heart. I'm
 so sorry, Samuel. We thought you
 knew.

Luke, Joanna and Patsy nod in sympathy. Tears now replace
 joy. Samuel puts his arm around his mother and the family
 walks off the platform together.

EXT. - ELMIRA GRAVEYARD - LATER THAT SAME DAY

Samuel makes his way through the graves. He walks slowly and
 respectfully, avoiding stepping on anyone's burial plot.
 After a bit he finds who he is looking for.

CU ON HEADSTONE - DAFYDD CARDIFF

Samuel begins to speak as if his father were right there
 listening to him.

SAMUEL MOSES CARDIFF
 I did it, Pa. I'm a teacher. All of
 your faith and hard work has paid
 off.

Samuel removes his diploma from its protective sheath. He
 shows it to the headstone as if he was presenting it to his
 father.

SAMUEL MOSES CARDIFF (CONT'D)
 I'm sorry that I wasn't here for
 you. I should have been. Please
 forgive me.

Tearing up, Samuel wipes his eyes and does his best to stay
 composed.

SAMUEL MOSES CARDIFF (CONT'D)
 To die; to sleep; to sleep,
 perchance to dream; ay, there's the
 rub. For in that sleep of death
 what dreams may come.

Samuel kneels, touches the headstone and begins to recite the Lord's Prayer.

SAMUEL MOSES CARDIFF (CONT'D)
 Our Father, who art in Heaven,
 hallowed be thy name. Thy Kingdom
 come...

We fade out as we see Patsy Brown approaching the kneeling Samuel Cardiff.

DISSOLVE TO:

INT. - THE CARDIFF RESIDENCE - EARLY EVENING

Samuel and Patsy sit on the front porch of the Cardiff home. We enter this on-going conversation...

PATSY BROWN
 Do you remember this drawing?

Patsy hands Samuel a child's stick figure drawing. It depicts Samuel rescuing Patsy's cat from a tree when they were children.

SAMUEL MOSES CARDIFF
 I do. The cat, as I recall, was quite grateful for my assistance.

PATSY BROWN
 As was I. I always knew that I wanted to marry you, Sam Cardiff.

SAMUEL MOSES CARDIFF
 Think I would climb a tree for just any girl?

Patsy smiles and takes Samuel's hand in hers. This is sweet, childlike intimacy.

PATSY BROWN
 We've known each other forever.

SAMUEL MOSES CARDIFF
 I've always had the deepest affection for you.

PATSY BROWN
 I was so worried, Samuel. Every time your mother read one of your letters from college I was afraid...

SAMUEL MOSES CARDIFF
Afraid of what? I was in no danger.

PATSY BROWN
Afraid that you would find a girl
and fall in love with her at
school.

SAMUEL MOSES CARDIFF
No chance of that, Patsy.

Just as Samuel and Patsy are getting close to saying much more to each other, Luke and his two friends, STEPHEN HUGHES and DAVID HUGHES, twins, 18, coming running up to the front porch.

DAVID HUGHES
We are going to save the Union,
Samuel.

STEPHEN HUGHES
Yes! Those Reb traitors are headed
straight to hell.

DAVID HUGHES
I plan on sending a few of them
there myself and real soon.

STEPHEN HUGHES
Have you signed up yet, Samuel?

LUKE CARDIFF
No boys, he has not. Samuel is in
love, can't you see that?

Patsy blushes and smiles. Samuel smiles too, but he does not react. Stephen, David and Luke are soon on their way, playing soldiers and killing imaginary Rebels as they go.

EXT. - MAIN STREET, ELMIRA - DAY

Samuel walks down the street. Troops without uniforms drill in a nearby field. We see an unmanned Enlistment Table, adorned with red, white and blue signs, set up in front of the General Store. The STORE OWNER, standing in front of his establishment, dressed in dark trousers, white shirt and apron yells out,

STORE OWNER
Samuel! Welcome home! So glad to
have you back.

Samuel waves and keeps walking. He's headed towards the church on the far side of town. As he makes his way through town we see a number of ELMIRA TOWNSPEOPLE going about their daily routines. Two YOUNG WOMEN pass Samuel by and giggle as they give him coy stares.

INT. - ELMIRA CHURCH - DAY

Elmira's church is composed of two rectangular buildings, one taller than the other. The taller building is the meeting house with a steeple and a small bell. The smaller building is the schoolhouse.

Samuel walks into the meeting house. We see MAYOR BURTON, 50ISH, DAVIES MORGAN, 40ish, head of the Elmira Town Council and EDWIN BROWN, 40ish, Patsy's father, a husky blacksmith, all sitting in three chairs in front of the lectern. A fourth chair is waiting for Samuel.

After greeting each man in turn, Samuel sits in the chair and says,

SAMUEL MOSES CARDIFF

I'm sure you asked me to come here today for a reason. Do you need help in wrapping up my father's affairs?

MAYOR BURTON

As you know, we not only lost our Pastor when your father died, we lost our Schoolmaster. We want you to become Elmira's new teacher.

Samuel is surprised, but in a very positive way.

SAMUEL MOSES CARDIFF

I was going to apply in nearby communities, but I'm honored. It's a dream come true. I wholeheartedly accept.

DAVIES MORGAN

It seems fitting to us that you should follow in your father's footsteps.

SAMUEL MOSES CARDIFF

You've made me extremely happy.

EDWIN BROWN

I'm sure my daughter will be as well.

SAMUEL MOSES CARDIFF
I cannot wait to share this news
with her, sir.

Samuel and the men stand and carry on with their conversation
as we ...

DISSOLVE TO:

INT. - ADJACENT SCHOOLHOUSE, SCHOOLMASTER'S OFFICE - DAY

Dafydd Cardiff's desk has not been touched since his death.
Everything is as it was - neatly arranged and meticulously
organized. There is a Bible on the desk. A standing globe
sits nearby.

Samuel looks behind him at a small bookcase. "The Complete
Works of William Shakespeare" - a multi volume set - takes up
the top shelf. Samuel moves to the bookshelf and rubs his
hand over the Shakespeare books.

SAMUEL MOSES CARDIFF
I'm going to miss not being able to
read with you, Pa.

There is a small U.S. Flag on a pedestal sitting in the
corner. Samuel picks it up, looks at it and sighs. He opens a
coat closet, sets the flag inside and closes the closet door.

INT. - CARDIFF HOME, KITCHEN - EVENING

Elisabeth, Luke, Joanna and Samuel share a family meal.

SAMUEL MOSES CARDIFF
You made my favorite meal! Chicken
stew. Delicious, Ma. The best.

ELISABETH CARDIFF
Little enough to welcome you home.
And apple pie for dessert.

SAMUEL MOSES CARDIFF
Also my favorite (beat). I have
wonderful news. I haven't told a
soul yet, I wanted to share it with
my family first.

ELISABETH CARDIFF
What is it, son?

SAMUEL MOSES CARDIFF
I've accepted the position as
Elmira's schoolmaster.

JOANNA CARDIFF
Father would be so proud!

LUKE CARDIFF
Indeed! Well done, brother!

Elisabeth does not react, other than to flash a half-hearted smile at Samuel.

LUKE CARDIFF (CONT'D)
I have some good news of my own.

SAMUEL MOSES CARDIFF
Let's hear it!

LUKE CARDIFF
I've done it! I enlisted. I'll bet
Dad is proud of me too.

ELISABETH CARDIFF
I was afraid it would come to this.
Excuse me.

Elisabeth gets up and walks out of the room. Samuel, Joanna and Luke look confused. Joanna reaches across and takes Luke's hand.

EXT - CORRAL BEHIND THE CARDIFF HOME - SUNSET

Samuel scratches his favorite horse, Kate's, neck. Kate leans in and places her head on Samuel's shoulder.

Elisabeth joins them and says,

ELISABETH CARDIFF
You know she missed you.

SAMUEL MOSES CARDIFF
I missed her.

ELISABETH CARDIFF
Even after all this time, I find it
strange that you named her from a
Shakespeare play.

SAMUEL MOSES CARDIFF
Kate? I guess she really isn't a
shrew.

Elisabeth and Samuel notice the sunset, which is spectacular.

SAMUEL MOSES CARDIFF (CONT'D)
 (pointing toward the West)
 That just never gets old. I missed home, Ma.

ELISABETH CARDIFF
 There is something we must discuss, Samuel.

SAMUEL MOSES CARDIFF
 What's on your mind?

ELISABETH CARDIFF
 I have known for some time that Luke would enlist. I was not surprised by his announcement.

SAMUEL MOSES CARDIFF
 Luke is a grown man. He is entitled to make his own decisions.

ELISABETH CARDIFF
 I need you to join too, Samuel. You must look after him. I know in my heart of hearts that if you do not go and watch over your brother, he will not come home.

Samuel is not just taken aback, he's stunned. He shoos Kate away, turns and faces his mother.

SAMUEL MOSES CARDIFF
 How can you ask me to do that? I'm opposed to this War, as you well know. It's evil, it's wrong. I will not be part of this slaughter.

ELISABETH CARDIFF
 I'm not asking you to kill anyone. As his older brother, I expect you to save Luke's life.

SAMUEL MOSES CARDIFF
 Lincoln wants us to murder our brothers to save the Union. Father taught me right from wrong and this War is wrong.

ELISABETH CARDIFF
 Your father taught you to look after your family above all else.
 (MORE)

ELISABETH CARDIFF (CONT'D)

Luke needs you. He will die without you.

SAMUEL MOSES CARDIFF

I will not do this, mother. You have no right to say this to me.

ELISABETH CARDIFF

I cannot lose your father and Luke.

Elisabeth is in tears. Samuel walks away.

EXT - COUNTRYSIDE AROUND ELMIRA - DAY

Samuel and Luke ride through the countryside - gentle creeks, tall deciduous trees, green grass. We see them jump a stone fence and a creek - these guys clearly know how to ride. They arrive at a swimming hole along the river, a place they've been coming to all their lives.

EXT - SWIMMING HOLE, ELMIRA COUNTRYSIDE - DAY

Samuel and Luke dismount. Elmira in early summer is gorgeous - no wind, this is a perfect day.

Luke tosses Samuel a canteen. Samuel takes a deep pull from the canteen.

LUKE CARDIFF

This place never changes. Makes me think of Pa.

SAMUEL MOSES CARDIFF

One of my favorite spots, for sure.

Samuel hesitates and takes in the view.

SAMUEL MOSES CARDIFF (CONT'D)

You've actually signed your enlistment papers, right Luke?

LUKE CARDIFF

Yes.

SAMUEL MOSES CARDIFF

Well then, there is no turning back. You could just ride away and never come home.

LUKE CARDIFF

I would never do that! I'm no coward!

SAMUEL MOSES CARDIFF
I didn't think you were a coward,
Luke. You don't know what you've
gotten yourself into.

LUKE CARDIFF
For the rest of my life I'll just
be Luke Cardiff, a nobody from a
small town. This is my only chance
to do something important.

SAMUEL MOSES CARDIFF
You don't have the first clue what
war is all about. There is nothing
glorious about killing. This is not
some grand adventure, it's
slaughter.

LUKE CARDIFF
What do you know about war? In
fact, I don't think you've shot a
rifle or a pistol more than ten
times in your entire life.

SAMUEL MOSES CARDIFF
I've learned all about war.
Thousands of men die in agony, one
heaped upon another.

LUKE CARDIFF
The War won't last six months,
everybody says so. I worry that I
won't even see any battles.

The boys strip and jump into the swimming hole. They swim
around for a minute - we get to see more of the dazzling
countryside.

Standing in five feet of water, Luke says,

LUKE CARDIFF (CONT'D)
Samuel, I want you to join us, but
I understand if you don't. You and
Patsy are meant to be together.
You're the teacher around here now.
I know you hate the War, Samuel.

From the expression on Samuel's face we get it - Luke has no
idea what Elisabeth has asked Samuel to do.

SAMUEL MOSES CARDIFF
Let me ask you something, Luke.

Luke playfully splashes Samuel.

LUKE CARDIFF
Go ahead brother. You were always
the smart one, full of questions.

SAMUEL MOSES CARDIFF
What would you do if the Rebs
invaded Elmira?

LUKE CARDIFF
There is no way in -

SAMUEL MOSES CARDIFF
Humor me. What would you do?

LUKE CARDIFF
I'd fight like hell to my last
breath.

SAMUEL MOSES CARDIFF
What do you think the Rebs will do
when we invade them?

LUKE CARDIFF
It doesn't matter. We will whip
them anyway.

Luke smiles and dives under water. Samuel gets pulled under
and the two boys splash and poke at each other like they were
12 years old again.

EXT. - ELMIRA COUNTRYSIDE, NEXT DAY - DAY

Samuel and Patsy go for a buggy ride. We watch them move
through town. People notice them and smile at the happy young
couple. Folks know what it means when two young people go for
a buggy ride, they are courting.

They end up on the top of a hill overlooking Elmira. Patsy
has made lunch. Samuel spreads out a blanket for them to sit
on.

SAMUEL MOSES CARDIFF
You know that I want to marry you,
but mother is convinced that if I
don't join the army and go with
Luke, my brother will surely die.

PATSY BROWN
We can just ride away. We can leave
and start our life far away from
here.

SAMUEL MOSES CARDIFF
 You deserve a proper wedding. This
 is our home, we can't just leave
 our families.

PATSY BROWN
 But what if you don't come back?

SAMUEL MOSES CARDIFF
 I will, Patsy. I promise.

PATSY BROWN
 Then I'll buy lots of paper and
 sharpen my pencils.

They kiss, tender and sweet. This is an innocent and pure
 relationship with the utmost affection.

INT. - CARDIFF HOME, KITCHEN - EARLY EVENING

Elisabeth is making a meal. We see a mid-19th century kitchen
 with a big wooden stove with an oven attached, a pie rack and
 shelves. Samuel walks into the kitchen. He grabs an apple and
 rubs it in his hands.

SAMUEL MOSES CARDIFF
 I'll do it. I've declined the offer
 from the town. I'll join the army
 and go with Luke.

ELISABETH CARDIFF
 I knew you would, Samuel. You
 always do the right thing.

SAMUEL MOSES CARDIFF
 The right thing? I'm not doing the
 right thing. And I'm not doing this
 because you pressured me. I'm doing
 this because I love my brother.

ELISABETH CARDIFF
 I understand. You're disappointed
 and angry.

SAMUEL MOSES CARDIFF
 Angry? Can you live with yourself
 if both Luke and I get killed?

ELISABETH CARDIFF
 Samuel, I -

SAMUEL MOSES CARDIFF
 I'll do my best to keep Luke alive.
 For Father's sake, to honor his
 memory.

Samuel tosses his uneaten apple in the waste bucket and walks out. Elisabeth collapses into a chair, sobbing.

EXT. - GENERAL STORE, ELMIRA, FRONT STEPS - DAY

Samuel and Luke approach the Enlistment Table. SERGEANT MAJOR SHEFFIELD MCBRYCE, mid 40s, Irish immigrant, stands behind the table. A JUNIOR SERGEANT sits behind the table.

SAMUEL MOSES CARDIFF
 You're sure about this, Luke?

SGM MCBRYCE
 Luke Cardiff is a member of the
 42nd NY Regiment. Sure of it or
 not, he's a soldier now. You sign
 and you're in too. Ain't no
 changin' your mind, sonny boy.

SAMUEL MOSES CARDIFF
 Did you hear that, Luke? This man
 is telling you the truth.

LUKE CARDIFF
 I can't wait until our uniforms and
 guns arrive. Will it be soon?

SGM MCBRYCE
 Within two weeks, or so we're told.

Samuel looks at Luke. The Junior Sergeant slides Samuel's enlistment papers to him. Samuel signs them.

SGM MCBRYCE (CONT'D)
 It's only one year of your life.
 We'll whip them Rebs fast and get
 you boys home.

SAMUEL MOSES CARDIFF
 God help us.

SGM MCBRYCE
 Indeed!

EXT. - ELMIRA TOWN SQUARE - DAY

We see SOLDIERS without weapons or uniforms drill on the Town Square, which is an open area near the center of the town (think a park). The soldiers use wood poles as rifles. The drilling is interrupted as three US Army wagons arrive in town - the guns, uniforms and other supplies for the Regiment have arrived.

Luke, Samuel and the other Soldiers line up to receive their uniforms, rifles, knapsacks and other supplies. When Samuel gets his uniform he looks more reluctant than happy - for Luke it's like Christmas Day.

EXT. - U.S. ARMY FIRING RANGE, HILLS OUTSIDE OF ELMIRA - DAY

The Regiment is weapons training at the Firing Range. The Range is a makeshift set up - a line of bed sheets with hand painted bull's-eyes set up against an embankment.

SGM McBryce walks along the line watching the Soldiers shoot. He comes up on Samuel, Luke and David and Stephen Hughes.

LUKE CARDIFF

Bulls-eye! There's one dead Reb.

Luke's last shot was on the outer rim of the red painted bulls eye.

DAVID HUGHES

Yep, I hit one too!

David's shot is near the center of the bulls-eye.

Samuel has also fired off a few rounds, but we don't know how well or poorly he did.

STEPHEN HUGHES

(to Samuel)

I'll bet my first month's pay that I'm a better shot than you.

SGM MCBRYCE

You cannot bet money boy-o. But you can wager standing guard duty.

Samuel smiles. He looks at his rifle and says,

SAMUEL MOSES CARDIFF

You're on. But no more bull's-eyes. We need a new target.

DAVID HUGHES
How about a pumpkin?

There are several pumpkins sitting behind them - they are there to be used as targets.

STEPHEN HUGHES
I'll turn my hat inside out. Then
the pumpkin is a Reb.

LUKE CARDIFF
My apologies to the pumpkin.

During a break in the shooting when the Soldiers check their targets, Stephen takes the pumpkin with the "grey" hat and places it fifty yards away on the range in front of the sheets.

Stephen takes aim and fires. He misses the pumpkin by a few inches.

SAMUEL MOSES CARDIFF
I'll give you another shot. Try
again.

Stephen again aims and fires. This shot hits just below the pumpkin - we see the dirt fly up from the bullet's impact.

It's Samuel's turn.

SAMUEL MOSES CARDIFF (CONT'D)
Not too bad. Let me show you how
it's done.

Samuel takes dead aim. He fires and the pumpkin explodes - a direct, center hit.

LUKE CARDIFF
Nice shot brother!

SGM MCBRYCE
Indeed!

STEPHEN HUGHES
It was luck. Bet you can't do it
again.

SAMUEL MOSES CARDIFF
How much guard duty do you want to
walk, Stephen?

Stephen glares, but does not respond. The hat flew off the pumpkin when it exploded and is tilted up against the sheet.

SAMUEL MOSES CARDIFF (CONT'D)
I'll hit the hat.

STEPHEN HUGHES
In a pig's eye you will.

Samuel takes a deep breath, exhales and fires. The hat doesn't move.

SAMUEL MOSES CARDIFF
There's a hole in that hat.

STEPHEN HUGHES
I think not, you missed.

SAMUEL MOSES CARDIFF
Check it.

The Range is cleared. Luke walks towards the targets and picks up the hat. With a huge grin on his face he puts his finger through a hole in the hat and lifts it up for all to see.

SAMUEL MOSES CARDIFF (CONT'D)
Now you can mend your hat while you walk my guard duty.

SGM MCBRYCE
Impressive for a minister's son.

SAMUEL MOSES CARDIFF
Yea, I guess so. Maybe I can shoot straight.

EXT. - ELMIRA TOWN SQUARE - DAY

The big day is here. The 42nd New York Regiment has formed and is ready to depart for duty. CAPTAIN SEWELL, late 50s, white hair, is the Regimental Commander. Sewell stands at the head of the formations. The Soldiers are arranged in five companies of 100 men each - rows of four men abreast and twenty-five men deep. Two color bearers stand between Captain Sewell and the Regiment.

Most of the town has turned out to see their boys off. Five hundred Townspeople are assembled for the event. Wagons are pulled into place - people stand on the wagons to get a better view. Patriotic bunting adorns the wagons.

CAPTAIN SEWELL
Attention!

Each of the Companies has a LIEUTENANT at the head.

LIEUTENANTS
Attention!

CAPTAIN SEWELL
Regiment!

LIEUTENANTS
Company!

The men move from parade rest to attention. Captain Sewell does an about face and is now addressing the assembled Townspeople.

CAPTAIN SEWELL
By order of General McClellan,
Commanding Officer of the Army of
the Potomac, the 42nd New York
Infantry Regiment is now activated
and ordered to report for duty.

Sewell puts the paper he was reading from back in his pocket.

CAPTAIN SEWELL (CONT'D)
These are your men. Be proud of
them! They have volunteered to step
forward and save the Union!

Sewell does an about face.

CAPTAIN SEWELL (CONT'D)
Color bearers post!

The regimental color bearer extends his flag at a 45 degree angle. Sewell removes the canvas sock and the Regimental colors are displayed for the first time. The National and Regimental flags are then brought back to a full upright position.

CAPTAIN SEWELL (CONT'D)
By Company, wheel left at a quick
step march.

The Companies come forward, wheel and march out of town. The crowd cheers.

In the crowd, Elisabeth Cardiff, Joanna Cardiff and Patsy Brown watch all this unfold. As the Soldiers march away, Elisabeth says,

ELISABETH CARDIFF
Lord forgive me for what I've done.
Please watch over my boys. Patsy,
will you see me home please? I
can't bear to stay here any longer.

Patsy Brown watches as Luke and Samuel's company passes by. She makes eye contact with Samuel and smiles.

PATSY BROWN
Of course, Mother Cardiff. Let's go.

EXT - WASHINGTON D.C., FEBRUARY 1862 - DAY

The 42nd New York Regiment has arrived in Washington. We watch them march past the White House.

DAVID HUGHES
There's the White House! I wonder if Old Abe is home.

LUKE CARDIFF
I'm not here to see the sights or Lincoln. I'm here to fight Rebs.

SGM MCBRYCE
No talking in the ranks!

The 42nd continues to march pass the White House and southwest out of the District.

EXT. - ARLINGTON, VIRGINIA, THE LEE ESTATE - DAY

The 42nd is part of a large encampment of Union soldiers at the Robert E. Lee estate on the Potomac River. We see a white tent city, supply wagons, fires - around 4000 men in total.

The 42nd does bayonet drills. The Soldiers stand at attention in two rows, each man facing another man.

SGM MCBRYCE
On guard!

Both rows of men go to the on guard position with their left foot forward, bayonet and rifle extended in front of the soldier. All of the men shout "Hurrah!".

SGM MCBRYCE (CONT'D)
Thrust!

One of the rows brings their rifles up, takes a larger step forward and thrusts. The bayonet and rifle are parallel to the ground. Again, all of the men shout "Hurrah!".

The other row of soldiers takes a step back and knocks the bayonet aside (called a parry).

SGM MCBRYCE (CONT'D)

Recover!

All the ranks go back to the attention position. SGM McBryce moves to a position behind Samuel.

SGM MCBRYCE (CONT'D)

Rest in place.

The Soldiers now sit down, drink water - they are at ease.

SGM MCBRYCE (CONT'D)

Private Cardiff, front and center!

Samuel moves next to SGM McBryce.

SGM MCBRYCE (CONT'D)

JONES, WALTERS AND SMITH - front and center!

The three Privates, Jones, Walters and Smith, move next to SGM McBryce. Captain Sewell arrives to watch the drill. The Soldiers in the Regiment now form a semi circle around Samuel, Jones, Walters and Smith to watch the demonstration.

SGM MCBRYCE (CONT'D)

Cardiff, here. Jones, Walters and Smith, here. Face each other.

McBryce directs them to specific spots where they are to stand. The men comply. There is a gap of ten feet between the Jones, Walters and Smith and Samuel. McBryce is in the middle.

SGM MCBRYCE (CONT'D)

Soldiers, on guard.

All four men go to the on guard position.

SGM MCBRYCE (CONT'D)

Private Jones, attack!

Jones comes forward and thrusts. Cardiff parries so hard he knocks the rifle out of Jones' hand. The Soldiers respond with cheers and cat calls.

SGM MCBRYCE (CONT'D)

Walters, attack!

Walters comes forward and thrusts. Samuel parries Walter aside, but Samuel's rifle breaks. Samuel drops his broken rifle, steps forward, grabs Walters' rifle and turns it on Walters. The Soldiers again make noise in response to Samuel's victory.

Walters backs up, scared to death. SGM McBryce smiles - he's clearly enjoying this display. Not waiting for the command, Samuel moves towards Smith.

SGM MCBRYCE (CONT'D)

Recover!

Samuel and Smith return to a position of attention.

SGM MCBRYCE (CONT'D)

(Addressing Sewell)

Sir, I believe our minister's son has become a wildcat.

Sewell nods in agreement.

SGM MCBRYCE (CONT'D)

Cardiff, over here.

McBryce, Cardiff and Sewell walk a few paces away from the assembled soldiers - far enough away to where their conversation cannot be heard by the men. A JUNIOR SERGEANT puts the Regiment back in formation.

EXT. - ARLINGTON, VIRGINIA - DRILL AREA, SECONDS LATER - DAY

Captain Sewell, SGM McBryce and Samuel stand amidst the sea of Soldiers, but away from any specific group.

CAPTAIN SEWELL

You have proven yourself to be an excellent soldier and leader, Private Cardiff. I'm promoting you to Sergeant.

SAMUEL MOSES CARDIFF

Sir, thank you but I respectfully decline.

SGM MCBRYCE

Are you refusing an order, Cardiff?

SAMUEL MOSES CARDIFF

I am forced by conscience to refuse this order.

CAPTAIN SEWELL

Conscience be damned. These men need you. They are your friends and neighbors.

SAMUEL MOSES CARDIFF
I'm here to do my duty, not to
order men to die or to kill other
men.

SGM MCBRYCE
What's that pin on your shirt
Private?

SAMUEL MOSES CARDIFF
It's a Democrat Copperhead pin. I
wear it because -

SGM MCBRIDE
(interrupting)
It's a bloody antiwar, anti-union
pin.

McBryce walks over to Samuel, rips the pin from his shirt and
tosses it away.

SGM MCBRYCE
That pin does not belong on the
uniform of a Union soldier.
Dismissed Private Cardiff.

Samuel comes to attention, salutes Captain Sewell and rejoins
the Regiment.

EXT. - WASHINGTON D.C., CITY STREETS - EARLY EVENING

Luke and Samuel have a pass to go into town. They are in
uniform. We see other Soldiers and WASHINGTON RESIDENTS going
about their business. As the Cardiff boys pass by a saloon,
they are approached by two LADIES OF THE EVENING.

LADY OF THE EVENING 1
Do you boys want some company?

Both women smile at Luke and Samuel.

LUKE CARDIFF
Sure we do!

Samuel grabs Luke's arm and says,

SAMUEL MOSES CARDIFF
No thanks, we'll pass. Have a nice
evening, ladies.

Luke tries to protest, but Samuel keeps hold of his arm. Luke
is a bit miffed and says,

LUKE CARDIFF
What'd you do that for?

SAMUEL MOSES CARDIFF
They were strumpets, Luke.

Luke is puzzled.

LUKE CARDIFF
They were just girls, Samuel. Their
company would be a pleasant change.

SAMUEL MOSES CARDIFF
Believe me little brother, they
want more than just our company.

The Cardiffs continue to walk through Washington. The town is full of soldiers - more soldiers than civilians. As they turn a corner, we see the Capital building in the distance - it's under construction.

LUKE CARDIFF
I got another letter from Mom
today. She's worried about you. Why
haven't you written to her?

SAMUEL MOSES CARDIFF
I write to Joanna and Patsy. Mom
keeps up through them.

LUKE CARDIFF
I don't know what Mom did to you,
but it's time you got over it.

Samuel does not reply. Across the street, we see a fight between TWO SOLDIERS. A small crowd has gathered around them and appear to be wagering on the outcome. The noise is enough of a distraction for Samuel to dodge Luke's question. Samuel and Luke walk over to get a closer look at the action.

LUKE CARDIFF (CONT'D)
Who you gonna bet on?

SAMUEL MOSES CARDIFF
The one you're not.

DISSOLVE TO:

SUMMER 1862

EXT. - WOODS SOUTH OF WASHINGTON, D.C. - DAY

Samuel and FOUR UNION SOLDIERS walk through the woods. It's hot and humid. Samuel and the Four Union Soldiers are miserable, suffering in the heat. They are here to keep tabs on Lee's Army of Virginia, which is nearby. The Union and Confederate forces are constantly probing and testing each other.

SOLDIER 1

I don't see the point of all these patrols. Ain't no damn Rebs around here. Just these cursed flies.

Soldier 1 swats a fly on his face. It leaves a large, bloody stain on his neck.

As the Union soldiers step into a small, grassy clearing, a mounted CONFEDERATE CAVALRY patrol of eight men are formed in a line, watching the Union soldiers. The Rebs charge, firing their pistols and shouting the Rebel yell.

All of the Union men, save Samuel, are fixated on the sight before them and are frozen in fear. One Union soldier drops his rifle as he tries to bring into firing position, the others look like they don't have clue what to do next.

Samuel raises his rifle, fires and kills one Rebel, knocking him off his horse. Samuel drops his rifle, grabs one from another Soldier and fires, killing another Reb cavalryman.

SAMUEL MOSES CARDIFF

Fire damn you!

Two of the other Union Soldiers spring into action and fire at the Rebs, both shots miss. However, the returning fire breaks the charge and the Confederate calvary retreat. Samuel has reloaded. He takes aim at one of the Confederate cavalryman who is riding off, about a hundred yards away from him. He fires and hits the Confederate square in the back, killing him instantly.

Samuel gets his bearings and checks on the status of the men. Three of them look at Samuel, obviously waiting for orders. The fourth Soldier is nowhere to be seen. Samuel looks behind him and sees the Fourth Soldier lying face down in the grass.

Walking over to the Fourth Soldier Samuel flips him over. The other Soldiers gather around. There's bullet in the Soldier's brain, he's gone.

SAMUEL MOSES CARDIFF (CONT'D)
Everyone else okay?

The three Soldiers nod and acknowledge they are fine.

SAMUEL MOSES CARDIFF (CONT'D)
That's what fear will do to you,
men. You can end up dead. Take a
lesson. Let's get back to camp
before the Rebs decide to return in
force.

Samuel and the three soldiers leave the field, with one of
the Soldier's carrying their fallen comrade.

EXT. - BIVOUAC SITE SOUTH OF WASHINGTON, D.C. - DAY

Samuel sits against a tree writing a letter. He is close to
other Soldiers who are talking amongst themselves. Luke is in
this nearby group of Soldiers.

SOLDIER 1
Luke, you should have seen him!
Those Rebs had us cold for sure but
Samuel just stood there and killed
three of them in a minute.

LUKE CARDIFF
Why didn't you shoot?

SOLDIER 1
I did, but not at first. I was
scared, ain't afraid to admit it.
Only reason I'm standin' here now
is because of your brother.

Luke looks over his brother. Samuel returns the glance but
says nothing.

SOLDIER 1 (CONT'D)
When the shootin' starts for real,
I'm hoping to be next to Samuel.
He's a Reb Killer. That's his name -
Sam the Reb Killer.

Samuel hears this exchange, stands up and says,

SAMUEL MOSES CARDIFF
You'll do no such thing. You'll not
call me a killer.

Samuel walks off towards a group of tents.

SOLDIER 1

We'll call him RK. He can't get mad
if we just call him RK.

LUKE CARDIFF

No. He wants to be called Samuel
and Samuel he'll be.

Luke turns and follows his brother toward the tents.

EXT. - REGIMENTAL HEADQUARTERS TENT, NEAR ANTIETAM, MARYLAND,
EARLY SEPTEMBER 1862 - DAY

The 42nd New York Regiment has moved north into Maryland near Antietam creek along with the bulk of the Union Army of the Potomac. At Regimental Headquarters, Captain Sewell sits behind his field desk. SGM McBryce stands in front and to the side of the desk. Samuel enters and stands at attention.

CAPTAIN SEWELL

Cardiff, I called you here to
compliment you on your decisive
actions during yesterday's
engagement. You proved to be who we
thought you were.

SAMUEL MOSES CARDIFF

Thank you, sir.

CAPTAIN SEWELL

Private Cardiff, you know that
Lieutenant Arnold broke his leg
during a training exercise two
weeks ago.

SAMUEL MOSES CARDIFF

Yes, sir. I understand that he's on
the mend.

CAPTAIN SEWELL

Unfortunately not. Infection set in
and he passed away two days ago.

SAMUEL MOSES CARDIFF

I'm very sorry. I helped my Pa
teach his oldest boy.

CAPTAIN SEWELL

Effective immediately, Private
Cardiff you are now Lieutenant
Cardiff and in command of Company
B.

SAMUEL MOSES CARDIFF
I'm honored, sir but I must resp -

SGM MCBRYCE
Boy, shut up! This is not a
discussion, it's an order.

CAPTAIN SEWELL
As word of Arnold's death has
spread, several men approached the
Sergeant Major and requested that
you be in command. If an election
were held, they'd all vote for you.

SAMUEL MOSES CARDIFF
Sir, I did not join to order other
men -

SGM MCBRYCE
Silence! You are at attention.

CAPTAIN SEWELL
As the Lieutenant of Company B,
you'll be in the position to save
many men's lives.

SGM McBryce nods in Agreement. Captain Sewell motions for Samuel to move closer to his desk. He slides Samuel's Commission papers towards him.

CU ON COMMISSION PAPERS "BY ORDER OF PRESIDENT A. LINCOLN
SAMUEL M. CARDIFF IS HEREBY COMMISSIONED A SECOND LIEUTENANT
IN THE 42ND NEW YORK INFANTRY REGIMENT."

Sewell stands and hands Samuel his Lieutenant's epaulets and cap. Samuel takes these items from the Captain and salutes him.

SAMUEL MOSES CARDIFF
Thank you, sir.

CAPTAIN SEWELL
I have no doubt you are the right
man. Go see to your command,
Lieutenant. Dismissed.

Samuel turns and leaves.

EXT. - OUTSIDE OF THE REGIMENTAL HEADQUARTERS TRENT - SECONDS LATER

Samuel stops and looks at his new Lieutenant's cap and epaulets. He closes the epaulets in his hand and let's out a heavy sigh.

SGM MCBRYCE

If this unit is to survive, they need strong leaders, Lieutenant.

SGM McBryce salutes Lieutenant Cardiff for the first time. Samuel returns the salute.

SAMUEL MOSES CARDIFF

I never wanted this. I'm here because...

SGM MCBRYCE

Sir?

SAMUEL MOSES CARDIFF

I suppose it doesn't matter anymore. The killing I've done and surely still have to do is on me. I'll have settle the account with God.

SGM MCBRYCE

Tell me who in the Regiment is better suited than you for command. Tell me who you would rather have command your brother and I'll ask the Captain to make him the Lieutenant.

Samuel looks at his men in the distance, but says nothing.

SGM MCBRYCE (CONT'D)

Thought so. Your mates are good men. Let's get as many of them back to Elmira as we are able.

SAMUEL MOSES CARDIFF

Do you believe in this War, Sergeant?

SGM MCBRYCE

It does not matter what I believe, or what you believe. We are soldiers in the United States Army. As such we do our duty.

SAMUEL MOSES CARDIFF
Do our duty. To God or country?

SGM MCBRYCE
The Lord has not shared His opinion
of this War with me. I do know that
your country needs you. Your men
need you.

Samuel again looks over at his Regiment, most of whom are
watching Samuel and SGM McBryce as they talk.

SGM MCBRYCE (CONT'D)
Now, Lieutenant, lift your head,
put a strut in your step and lead
your men. Sir.

SGM McBryce salutes Samuel once more, turns and walks away.
Samuel heads towards the 42nd Regiment, which has gathered on
the edge of their encampment.

EXT. - 42ND REGIMENT BIVOUAC - DAY

As Samuel nears his men, the ASSEMBLED SOLDIERS let out a
roar of "Hurrah" in unison. They then line up in a makeshift
formation and stand at attention. Luke Cardiff steps forward,
salutes his brother and says,

LUKE CARDIFF
Thank you for doing this, Samuel.
We need you. The men respect you
and will follow you into hell.

Samuel salutes his regiment and says,

SAMUEL MOSES CARDIFF
I did not seek command, but it is
mine nonetheless. Assemble here in
the morning at dawn. We have work
to do. Dismissed.

The ASSEMBLED SOLDIERS let out another hearty "Hurrah" as
they break up and slowly head back toward their encampment.
They talk excitedly as they slowly stroll - clearly Samuel
being named Lieutenant has buoyed their spirits. Luke and
Samuel walk twenty paces behind the men and lower their
voices so their conversation stays private.

EXT. - WALKING TOWARDS THE 42ND BIVOUAC - DAY

SAMUEL MOSES CARDIFF
I'm just like Uncle Abe now. It's not enough that I have to kill men, now I must order other men to kill as well.

LUKE CARDIFF
The men respect you, Samuel.

SAMUEL MOSES CARDIFF
Look around you, brother. Many of these men will never see home again. We may never see Elmira again.

LUKE CARDIFF
Yeah, that's true. But if we kill or if we die, better that the commands come from one of us.

SAMUEL MOSES CARDIFF
I will not shirk my duty, Luke. No doubt I'll earn my place in hell, but as God is my witness the 42nd will be ready and will fight well when the time comes.

EXT. - 42ND REGIMENT BIVOUAC, LATER THAT EVENING - NIGHT

SGM McBryce walks through rows of tents and campfires. In the distance we see the Union army encamped among farms and fields - campfires, tents, men, horses, wagons and equipment stretch across the Maryland landscape.

Feeling something hit his arm and face, SGM McBryce looks up and says,

SGM MCBRYCE
Bloody hell. Rain?

As SGM McBryce moves the rain intensifies into a misty layer of fog. Reaching the first group of his men, McBryce stops and says to the soldiers around him,

SGM MCBRYCE (CONT'D)
Pack up your gear. We move at zero three thirty.

UNION SOLDIER 1
 Ain't we chased Bobby Lee enough?
 We've followed him up and down the
 Potomac all summer long.

SGM MCBRYCE
 You're done chasing him. He's
 waiting for you about five miles
 that way.

SGM McBryce points as he speaks.

SGM MCBRYCE (CONT'D)
 He's just on the other side of
 Antietam creek.

Samuel walks into the camp. The men rise and stand at
 attention.

SAMUEL MOSES CARDIFF
 As you were, men.

SGM MCBRYCE
 You're wanted in the Command Tent
 Lieutenant.

SAMUEL MOSES CARDIFF
 Thank you, Sergeant. You men get
 some rest. I fear that tomorrow is
 the day you've all been waiting
 for, a chance to take on Johnny
 Reb.

As Samuel walks away the Soldiers talk amongst themselves in
 measured but upbeat tones as they pack. They ignore the rain.
 The day they have waited for has finally arrived.

INT. - COMMAND TENT, ARMY OF THE POTOMAC, NEAR ANTIETAM
 CREEK, MARYLAND - NIGHT

Samuel walks into the Command Tent where COLONEL BAKER and
 other SENIOR UNION OFFICERS are briefing the assembled JUNIOR
 OFFICERS.

COLONEL BAKER
 The Rebs are situated in a reverse
 C position along this high ground.

Colonel Baker uses his bayonet as a pointer as he explains
 the routes of the upcoming Union offensive using a crudely
 drawn large map hanging from a frame.

COLONEL BAKER (CONT'D)
 There will be three avenues of attack. General Hooker's First Corps will attack here, through the cornfield. We are assigned to him. Our objective is to take and secure the terrain around Hagerstown Turnpike. We will attack with two companies' abreast formation. Lieutenants Sexton and Cardiff will command the lead companies.

Samuel nods in acknowledgement as does LIEUTENANT SEXTON.

COLONEL BAKER (CONT'D)
 Guide your advance on me. Cardiff, your Company B will be to my left and Sexton your Company A will be on my right. Companies C and D will trail the lead companies and be ready to move forward on my command.

A young CAPTAIN PARKER pipes up and asks,

CAPTAIN PARKER
 And the rest of the army? Where will they attack, sir?

Sewell glares at Captain Parker, but also answers him,

COLONEL BAKER
 Not that it concerns you, as their attacks are separate from ours, but General Sumner will attack the center of Lee's line and General Burnside will attack on the right.

Returning his attention to the group, Baker continues,

COLONEL BAKER (CONT'D)
 We have the benefit of artillery covering fire. Our cannons should keep the Rebs heads down as we advance.

Baker stops talking and sheathes his bayonet.

COLONEL BAKER (CONT'D)
 Our orders are to attack at zero five thirty. We'll march at zero three thirty so try to get some rest. Any questions?

All of the Junior Officers shake their heads no.

COLONEL BAKER (CONT'D)

Good. Return to your men. Some will be frightened and need your confidence. Good luck and God bless you all. Dismissed.

Samuel and the rest of the Junior Officers leave, returning to their units.

EXT. - 42ND REGIMENT ENCAMPMENT - LATE EVENING, SEPTEMBER 16, 1862

Samuel emerges from his tent and sits next to the fire. He looks up and holds his hand out. The rain has stopped, at least for the moment. In his left hand he carries a leather satchel. After wiping the rain from and settling on a stump he uses as a makeshift chair, Samuel opens the satchel and removes a stack of letters. He begins to read.

Luke emerges from the night and stands on the other side of the fire from Samuel. Samuel says nothing. Luke isn't sure if Samuel is aware that he's standing there.

LUKE CARDIFF

Got a minute, Samuel?

SAMUEL MOSES CARDIFF

(a bit miffed that he was interrupted)

I'm reading letters from Patsy. I wonder what she's doing tonight?

LUKE CARDIFF

No doubt thinking of you.

SAMUEL MOSES CARDIFF

What can I do for you?

LUKE CARDIFF

I guess were in it now, big brother.

SAMUEL MOSES CARDIFF

So it seems.

LUKE CARDIFF

If things turn out bad tomorrow, let mother know that I love her and Joanna too.

SAMUEL MOSES CARDIFF
Don't worry, you'll make it through
just fine.

LUKE CARDIFF
You're not saying that to make me
feel better?

SAMUEL MOSES CARDIFF
No. I promise you, you'll be fine.

LUKE CARDIFF
Thank you Samuel. Ah, Lieutenant.

Luke takes half a step back and salutes his brother.

SAMUEL MOSES CARDIFF
(grinning)
Get some sleep. That's an order.

Luke walks back into the shadows. Samuel opens his leather satchel and removes a pencil and paper.

CU ON THE PAPER SAMUEL IS WRITING ON. WE WATCH AS HE WRITES,
"DEAR PATSY. TOMORROW WE GO INTO BATTLE. IF I FALL I WANT YOU
TO KNOW THAT MY FINAL THOUGHTS ON THIS EARTH WILL BE OF YOU.
PLEASE DON'T MOURN ME."

Samuel stops writing and looks up. The rain has resumed. He puts his writing supplies and unfinished letter back in the satchel for safekeeping. He stares into the fire, lost in his thoughts...

DISSOLVE TO:

EXT. NEAR ANTIETAM CREEK, MARYLAND - 5 AM, SEPTEMBER 17, 1862

The rain from the night before has stopped. The ground is muddy. There is a layer of mist hanging over the landscape.

Samuel faces his Company who stand at shoulder arms - all the men are lined up shoulder to shoulder, two deep. To Samuel's right Lieutenant Sexton stands in front of the men of his Company. Ahead of them is Miller's Cornfield and plots of evergreen trees. The corn is over six feet high - it's harvest time.

Sexton's men move, marching towards the cornfield. Samuel's Company follows them in a support position. As soon as the men begin to march, Confederate artillery opens up on the cornfield.

The sounds of exploding shells quickly build into a deafening crescendo. We watch as the last of Samuel's men disappear into the tall rows of corn.

EXT. MILLER'S CORNFIELD, MARYLAND - MINUTES LATER

The men of the 42nd Regiment in Samuel's Company continue to move forward. They are constantly bombarded by artillery. Some of the men waver, but none of them run. Periodically Samuel will yell, although he knows that only a few men can hear him,

SAMUEL MOSES CARDIFF

Steady men! We will emerge from the corn soon. Be ready!

A shell explodes in the middle of the 42nd's ranks. SOLDIERS go flying. We see three more go down. Miller's Cornfield is a killing field and the worst is yet to come.

SAMUEL MOSES CARDIFF (CONT'D)

Fill in that gap! Shoulder to shoulder men! Press forward.

As if the artillery fire was not bad enough, now they are close to the Union lines and begin to absorb rifle fire. We hear the bullets whistle through the corn. Men are hit and fall and scream in agony. Soldiers drop every second now - the dead and wounded lie in heaps among the battered corn stalks.

What's left of Samuel's company emerges from the cornfield and sees the enemy deployed in a skirmish line about 20 yards away. Colonel Baker raises his saber and yells,

COLONEL BAKER

Form a line and prepare to -

A shell explodes near Colonel Baker and he disappears, blown to bits from the explosion. The men don't know what to do - for a moment or two confusion reigns. Samuel sees his men and knows they need direction. As he looks around for Captain Sewell or another Senior Officer, a shell explodes a few yards away and near to Luke. Samuel watches in horror as Luke goes flying back toward the cornfield.

At that moment, SGM McBryce appears from out of the smoke, grabs Samuel by the arm and says,

SGM MCBRYCE

Lead your men. The Colonel is gone and the Captain cannot be found.

McBryce can see that Samuel's first inclination is to find Luke and take him to safety.

SGM MCBRYCE (CONT'D)

See to your company, sir. The First-Aid men will attend to Luke.

More shells hit, more men fall. Unless they take action, Samuel's entire company will be wiped out in short order.

SAMUEL MOSES CARDIFF

Forward men! Attack!

The men who see Samuel are heartened - they finally receive an order from an Officer they trust. Fifty Soldiers follow Samuel and SGM McBryce as they run towards the Confederate lines.

EXT. - ANTIETAM BATTLEFIELD SOUTH OF MILLER'S CORNFIELD -
MOMENTS LATER

As Samuel and his men approach the Confederate line, an airburst of shrapnel kills five more of his company. Incoming rifle fire from the Rebel line intensifies, but after the airburst the artillery barrage ceases; they are too close to the Confederate lines so the Rebel artillery can no longer fire at them.

The REBEL SOLDIERS charge. This is a melee now. Pistols, knives, swords and rifles used as clubs. Savage hand to hand combat.

Samuel takes aim at a charging Rebel soldier and drops him with one shot. Rather than reload, Samuel drops his rifle and picks one up from a dead Union Private, takes aim and kills another Reb who was coming straight at him. Samuel's men are holding their own and then some.

Another Rebel charges Samuel with a fixed bayonet. Samuel parries the thrust and rams his bayonet home through the soldier's chest. As soon as Samuel's bayonet is thrust into the Reb, another Confederate screaming bloody murder at the top of his lungs swings his rifle at Samuel like a baseball bat. At the last second Samuel ducks as he pulls his bayonet out of the dead soldier's chest and plants it firmly into the Confederate's gut.

All around Samuel soldiers are fighting hand to hand. Blood is splattered everywhere. Men scream. The sounds of the larger battle, the artillery barrages, continue. Smoke fills the air, choking men desperate to breathe. It's medieval. The most extreme intimate violence imaginable.

The soldiers of the 42nd follow Samuel's lead. Samuel appears to be indestructible. He thwarts every attack and keeps killing Rebels as fast as they come at him. During a momentary break in the carnage, Samuel looks behind him. More Union troops are emerging from the cornfield. The Confederate line is breaking. The Union may indeed carry the day.

SAMUEL MOSES CARDIFF
Forward men! Advance! Head towards
the church!

Samuel points towards the steeple of a church on Hagerstown Road, an important landmark for their assault.

Now Samuel has over a hundred men following him. They begin to plow through the Confederate line, or what is left of it.

As Samuel kills or mortally wounds every Reb who crosses his path he curses them,

SAMUEL MOSES CARDIFF (CONT'D)
Come get some you bastards!

And

SAMUEL MOSES CARDIFF (CONT'D)
I am the pale horse rider, I am
death!

SGM McBryce comes up from behind Samuel and grabs his arm. Samuel turns, pivots and comes within half a second of thrusting his bayonet into SGM McBryce.

SGM MCBRYCE
Sir. We're to pull back. They
ordered us out.

SAMUEL MOSES CARDIFF
That's insane! We've taken the
field! We must press forward.

SGM MCBRYCE
Lieutenant, those are your orders.
Straight from General Hooker
himself.

Covered in dirt, smoke, sweat and other men's blood, Samuel Moses Cardiff looks nothing like the man he was only a couple of hours earlier. This is a new creature, a killing machine. The last thing he wants to do is retreat - he wants to slaughter more Rebs.

SGM MCBRYCE (CONT'D)
 Sir, please. You cannot disobey a
 direct order.

Then it hits Samuel. Luke! Now he must find and attend to his
 brother.

SGM MCBRYCE (CONT'D)
 The Rebs are leaving the field too.
 Look, sir.

SGM McBryce points to the Rebel line. The Confederates are
 indeed pulling out. The artillery barrage has ceased. Seconds
 before there was mayhem. Now the sounds Samuel most hears are
 moans from the hundreds of wounded men littering the
 battlefield.

SAMUEL MOSES CARDIFF
 Pass the word, Sargent Major. We
 are pulling back.

SGM MCBRYCE
 Yes sir.

SGM McBryce takes off, gathering up the troops. Several UNION
 SOLDIERS draw near to Samuel. The last thing they want to do
 is to get too far away from their Lieutenant. Staying close
 to Samuel is their best chance at survival and they know it.

SAMUEL MOSES CARDIFF
 Back we go men. Help the stretcher
 bearers with the wounded.

Taking a few moments to catch his breath and come down from
 the intensity of battle, Samuel surveys the landscape around
 him. There is no more fog or rain, it's a bright sunny day.
 Since the cannons are no longer firing and men are not
 shooting at each other, the smoke is clearing.

All around Samuel are dead and dying men. He estimates that
 there are thousands of them littering the battlefield. He
 hopes that Luke is not one of them.

EXT. - MILLER'S CORNFIELD, ANTIETAM BATTLEFIELD - DAY

Samuel walks back toward the Union lines at a deliberate
 pace. As he does he hears the cries of men in agony. He's
 traveling through hell - men in blue, men in grey, some
 living, some dead all piled in grotesque heaps. Then he hears
 a familiar voice.

DAVID HUGHES
 Samuel, Samuel. Help me.

Samuel looks around. Where did the sound come from? There are so many men, it's impossible to pinpoint one voice.

DAVID HUGHES (CONT'D)
Samuel, over here.

The voice, already soft, is now weaker. Then Samuel sees him. It's David Hughes. He's lying next to his brother Stephen, or what's left of Stephen.

SAMUEL MOSES CARDIFF
David! Let me get you out of here!

DAVID HUGHES
No Samuel, I'm done for.

Looking him over, Samuel understands. David's left leg is gone. A makeshift tourniquet has only delayed the inevitable; David is dying, he's lost too much blood.

DAVID HUGHES (CONT'D)
Please give me Ma and Pa this letter. Stephen and I both signed it.

David reaches into his pocket and hands the bloody note to him.

SAMUEL MOSES CARDIFF
I will. But let's get you out of here.

DAVID HUGHES
Leave me be, please. I'll die with Stephen. I ain't got but a bit left in me...

David lets out a horrible cough, he spits up blood.

SAMUEL MOSES CARDIFF
David, have you seen Luke?

DAVID HUGHES
They was carrying him off last I saw but -

Those are his last words. David Hughes is gone. Samuel puts the bloody message in his pocket and continues to move toward Union lines.

EXT. - BEHIND UNION LINES, ANTIETAM BATTLEFIELD - DAY

Samuel arrives at a creek. Taking off his backpack and dropping his rifle, Samuel tosses his shirt aside and wades in. The water is about belt high. He is covered in a filthy combination of mud, burnt gunpowder and other men's blood. He submerges himself in the water.

Part of Samuel wants to stay under the water forever. He remains submerged for a long time, until his lungs are bursting for lack of oxygen.

When he emerges, Samuel returns to the bank and sits alongside it to dry off. He watches as the 2nd Corps Irish Brigade moves forward toward the battlefield, or what was the battlefield earlier in the day. We hear the sounds of artillery and rifle fire in the distance so we know the battle continues elsewhere.

As soon as he is dry, Samuel heads for the hospital tents. He assumes that Luke must be wounded at a minimum, but he fears that Luke is more than likely dead.

EXT. - HOSPITAL TENTS, ANTIETAM BATTLEFIELD - DAY

We see rows of hospital tents. Samuel's strategy for finding Luke is the only one available to him - without any information on Luke's whereabouts he simply has to wander through this sea of agony until he finds his brother or someone who knows where he is.

The first hospital tent Samuel walks into is a horror show. We hear the same screams we did on the battlefield. At one end of the tent a WOUNDED SOLDIER'S arm is being removed with a bloody saw. At the opposite end, a DOCTOR and a MEDIC pull a sheet over a dead man. In between are SOLDIERS in various stages of distress.

Samuel walks through the tent and not finding either Luke or anyone from his Company, he moves on.

Moving down the row, Samuel walks into another tent - we see more patients in agony, but no Luke.

As Samuel leaves the second tent he sees two of his COMPANY SOLDIERS standing by a tree. Samuel rushes over to them and asks,

SAMUEL MOSES CARDIFF
Have you men seen my brother,
Private Cardiff?

When the Company Soldiers realize their Lieutenant is addressing them, they stand at attention and salute. Wide smiles immediately come to their faces.

COMPANY SOLDIER 1
Sir! We're so glad you're alive!

COMPANY SOLDIER 2
Yes LT! We thought ... Anyway,
you're alive sir!

SAMUEL MOSES CARDIFF
(returns the salute)
Have you seen my brother?

COMPANY SOLDIER 2
No sir. The last time I saw him he
was down in the cornfield.

COMPANY SOLDIER 1
We'll help you find him, sir.

COMPANY SOLDIER 2
Yes!

Samuel and the two Company Soldiers fan out and move from tent to tent. We see horse drawn wagons coming and going - the battle is still in progress. We watch as the wounded are taken from the wagons and moved to tents, or outside of tents if there is no room inside. A gruesome pile of severed limbs sits behind one tent - flies are all over the bloody pile of severed appendages. Samuel watches as rats gnaw on the bloody stump of a leg.

After checking a few more tents, Samuel rounds a corner and comes upon an area where men assemble so they can be returned to duty. These soldiers are either only slightly wounded or they have been treated and released. Officers periodically grab these men and use them to fill in depleted ranks.

Luke Cardiff sits in the middle of this group of SOLDIERS READY TO RETURN TO DUTY.

SAMUEL MOSES CARDIFF
Luke!

LUKE CARDIFF
Samuel!

Samuel hurries to his brother's side. They embrace. For the first time all day, a smile appears on Samuel's face.

SAMUEL MOSES CARDIFF
You're alive!

LUKE CARDIFF

As are you. I guess you weren't kidding last night when you told me I'd make it through.

SAMUEL MOSES CARDIFF

What happened?

LUKE CARDIFF

I was knocked out cold. When I came to, I was being carted off the field. I tried to move, but passed out again.

SAMUEL MOSES CARDIFF

Head injury. Are you okay now?

LUKE CARDIFF

Can't hear very well, I have a splitting headache, but I'm in one piece. Thank God. What happened to you?

COMPANY SOLDIER 2

I'll tell you what happened to him. The LT nearly killed every Reb soldier on the field!

COMPANY SOLDIER 1

Yes, it's true! Lieutenant Cardiff is the best soldier in the army. Hands down! I saw him kill five men and I only saw him in action for a few minutes.

SAMUEL MOSES CARDIFF

They exaggerate, Luke. The important thing is that we are both alive. So much death today...

Samuel looks off. A second earlier he was happy, now he's sad again after his soldiers touted his exploits.

LUKE CARDIFF

As my commanding officer, may I have permission to rejoin our unit, sir?

SAMUEL MOSES CARDIFF

Granted. Let's get out of here. I've seen enough tragedy for one day.

EXT. - COMMAND TENT - THE EVENING OF SEPTEMBER 17, 1862

Samuel walks towards the Command tent. Word was given that he was to report here, but he's not sure who is left to give or take orders.

Standing in front of the large battlefield map is Captain Sewell. He has an eye patch on his right eye and his left arm is bandaged. He was obviously wounded in the fight. Samuel sees Lieutenant Sexton who appears to be unharmed.

SAMUEL MOSES CARDIFF

Sexton.

LIEUTENANT SEXTON

Cardiff.

SAMUEL MOSES CARDIFF

Is this all that's left?

Samuel makes his comment after looking around the tent. Less than half the men who were present last night are here now.

LIEUTENANT SEXTON

I'm afraid so. Colonel Baker is gone.

SAMUEL MOSES CARDIFF

Yes, I saw that happen.

LIEUTENANT SEXTON

Sewell has been promoted. I suppose we all may be. The penalty for survival, I suppose.

SAMUEL MOSES CARDIFF

When do we attack?

LIEUTENANT SEXTON

Word is we are not going to attack.

SAMUEL MOSES CARDIFF

That can't be right. That makes no sense at all.

LIEUTENANT SEXTON

General McClellan has issued orders for us to regroup and not to pursue the Rebs.

SAMUEL MOSES CARDIFF

We can crush Lee right here, right now and end this. I thought the idea was to win this war.

LIEUTENANT SEXTON
 Wait (beat). Colonel Sewell is
 about to speak.

COLONEL SEWELL
 Men. I'll keep this short and to
 the point. We have been ordered to
 be prepared to repel a Reb attack,
 but not to pursue Lee.

A murmur of discontent spreads among the assembled Officers.

COLONEL SEWELL (CONT'D)
 I know how you men feel. Truly. I
 share your sentiments. We needed a
 victory and we got one. The Rebels
 did not advance. Washington is
 safe. McClellan does not believe we
 should press our luck.

LIEUTENANT SEXTON
 Sir, with all due respect, I know
 that -

COLONEL SEWELL
 I understand, Lieutenant. I take
 orders, you take orders. Orders
 have been given.

SAMUEL MOSES CARDIFF
 Sir, if we do not intend to win
 this war, why are we fighting it?

COLONEL SEWELL
 Lieutenant Cardiff, it has come to
 my attention that you should be
 decorated for valor for your
 actions on the field today.

SAMUEL MOSES CARDIFF
 Sir, no thank you, sir. I
 respectfully decline any
 decorations for valor and ask
 permission to lead an assault on
 the Rebel forces tomorrow.

COLONEL SEWELL
 I understand your frustration,
 Lieutenant. It is not within my
 power to grant your request.

SAMUEL MOSES CARDIFF
 Men bled and died by the thousands
 today. For what? A tie?
 (MORE)

SAMUEL MOSES CARDIFF (CONT'D)

If we do not pursue Lee and annihilate his army the Rebs will keep coming back for more.

COLONEL SEWELL

Lieutenant, unless you have a way to get yourself promoted to Commanding General, I suggest you do what we all must do. Follow orders. Dismissed.

The Officers in the tent look at Samuel and Sexton. They say nothing, but they don't have to. Everyone knows the same thing - if they do not pursue Lee and finish the fight, the war will drag on.

LIEUTENANT SEXTON

Lincoln will not stand for this. He'll fire McClelland.

SAMUEL MOSES CARDIFF

He did that once already, didn't he?

LIEUTENANT SEXTON

Then he reinstated him as Commanding General.

SAMUEL MOSES CARDIFF

Lincoln. Let's just say he's not my favorite.

LIEUTENANT SEXTON

I believe he shares our sentiments, Cardiff.

SAMUEL MOSES CARDIFF

The only winner is the Devil. More fighting, more death. Hell on earth.

LIEUTENANT SEXTON

Well, if we are ever in battle again Cardiff, please allow me the honor to serve with you. You're a top flight soldier, Lieutenant.

Samuel shakes Sexton's hand.

SAMUEL MOSES CARDIFF

May God keep you safe through this insanity.

Samuel and Sexton depart and return to their commands.

EXT. - NORTHERN VIRGINIA COUNTRYSIDE, OCTOBER 1862 - DAY

The 42nd New York Regiment is encamped in the hills of Northern Virginia. We see tents and fire pits. The SOLDIERS appear to be relaxed. Some are resting on fallen logs, others are playing cards and a few are writing letters. We hear the faint sound of far off artillery - many miles away, not nearly close enough to be of any concern.

Samuel sits around a fire with Luke and two other SOLDIERS. Samuel is reading. Luke appears nervous, agitated. He tosses rocks into the fire, sending sparks flying.

SAMUEL MOSES CARDIFF

Take it easy, Luke.

LUKE CARDIFF

Why are we just sitting here? You can hear the guns. They ain't firing at squirrels. They're shooting at Rebs and that's where we should be.

SOLDIER 2

They promoted Sewell. We ain't got no Captain. There's no one to lead us.

LUKE CARDIFF

Samuel can lead us. He's as good as any Captain I ever saw.

SOLDIER 3

As far as I'm concerned, I've seen all the fighting I want to.

SOLDIER 2

It's October. Time to be home eating those sweet pumpkin pies my woman makes. Pumpkin pie and spiced apple cider - you let me eat that again and the damned Rebs can keep all their precious South.

LUKE CARDIFF

You don't mean that. We got 'em on the run now. We can push them in the ocean and wash the country of those traitorous bastards.

SOLDIER 3

On the run? Who told you that? McClellan? Uncle Abe fired him and for good reason.

SOLDIER 2

You slept through Antietam anyway, Luke. You didn't see what the rest of us did.

LUKE CARDIFF

I didn't sleep. I was knocked out. I was wounded.

SOLDIER 2

Yeah, Luke. You was wounded. Show us the scar.

LUKE CARDIFF

Damn you.

Samuel stands up and says,

SAMUEL MOSES CARDIFF

The two of you stand fast.

Both men do as ordered.

SAMUEL MOSES CARDIFF (CONT'D)

Look at us. Our regiment was five hundred men strong when we left Elmira. We've got less than two hundred and fifty men now. Our company is down forty men, forty of our original one hundred are dead and gone.

Luke is less agitated now, he takes a seat by the fire.

SAMUEL MOSES CARDIFF (CONT'D)

Do you recall the names of those forty men? I do, every one of them. I had to write letters home and tell their families that they were killed in action. And for what? A whole lot of nothing.

LUKE CARDIFF

You never were in favor of this war.

SAMUEL MOSES CARDIFF

(ignoring Luke's comment)

If the army sees fit to leave us here until the war is over I say "hurrah". If we have to fight again, we will follow orders. Until we go home, tolerate each other. No more carping.

Samuel sits back down and resumes reading. Luke walks off.

EXT. - NORTHERN VIRGINIA COUNTRYSIDE, NOVEMBER 1862 - LATE AFTERNOON, NEARING DUSK

Winter approaches. We see the 42nd encampment as it was in October, but the men are now all wearing heavy coats. SGM McBryce walks through camp delivering the mail.

SOLDIER 2

Sargent Major, settle a bet. Does it snow in Virginia? It feels like snow. Simmons says we are far too south. What do you think? Will it snow?

SGM MCBRYCE

It sure feels like snow.

SGM McBryce turns away and approaches Samuel.

SGM MCBRYCE (CONT'D)

Letter for you, Lieutenant.

SAMUEL MOSES CARDIFF

Thanks, Sergeant.

Luke watches Samuel accept the letter and says,

LUKE CARDIFF

If I'd known Patsy was going to write you so often, I'd have asked her to marry me.

SAMUEL MOSES CARDIFF

It's from Joanna, not Patsy.

LUKE CARDIFF

Let me read it when you're done.

Samuel nods and walks over near the fire. He takes a seat on a large rock and opens the letter.

CU ON THE LETTER. "DEAREST SAMUEL, I DON'T KNOW HOW TO TELL YOU THIS, SO I'LL JUST SAY IT. PATSY IS DEAD. SHE WAS CROSSING THE STREET AND THE TEAM OF AN ARMY SUPPLY WAGON BOLTED AND RAN OVER HER. SHE DIED THERE..."

Samuel cannot believe what he just read. As if reading it again would change the outcome, he blinks, folds the letter back up, then unfolds it and reads it again.

Angry and in shock, Samuel balls up the letter and throws it in the fire. He gets up and walks away from the camp. Luke watches him do this and says,

LUKE CARDIFF (CONT'D)
Hey, what's wrong with you? I wanted to read that letter.

Samuel does not respond, he keeps walking.

LUKE CARDIFF (CONT'D)
Where are you going?

Samuel again does not respond, he just keeps walking. Soldier 2 has been watching all of this unfold.

SOLDIER 2
What's wrong with the LT?

LUKE CARDIFF
I don't know. But I'm going to find out.

Luke rushes after his brother. The sun has set, it will be dark soon.

EXT. - UNDER A BARREN TREE NEAR THE 42ND'S VIRGINIA CAMP -
MOMENTS LATER

Luke finds Samuel standing under a barren tree. Samuel is distraught - his face is ashen, his hands are shaking.

LUKE CARDIFF
What's going on?

Samuel does not answer. We see tears running down Samuel's cheek.

LUKE CARDIFF (CONT'D)
Talk to me. What did Joanna say in the letter?

SAMUEL MOSES CARDIFF
Get away from me. Patsy is dead. Leave me alone.

LUKE CARDIFF
Dead? What do you mean she's dead?

SAMUEL MOSES CARDIFF
She's dead, damn you. She was run over by an Army supply wagon. It's my fault.

(MORE)

SAMUEL MOSES CARDIFF (CONT'D)

I should have been there with her, protecting her. But no, I'm here watching over you. I was a fool to listen to Ma. You should have been left to your own stupidity.

LUKE CARDIFF

Stupidity? What's Ma got to do with this? What the hell are you talking about?

SAMUEL MOSES CARDIFF

Ma told me to enlist to watch over you. She was convinced that it was the only way you would survive.

LUKE CARDIFF

What?

SAMUEL MOSES CARDIFF

I was a damn fool for enlisting. Now Patsy paid the price. I should have been with her. I should have married her.

LUKE CARDIFF

So Patsy's death is my fault? And I was a fool for coming to the aid of my country? Is that what you're saying?

SAMUEL MOSES CARDIFF

This War is an abomination. I knew that and still enlisted. I acted foolishly. And now Patsy is dead.

LUKE CARDIFF

I don't need you watching over me like some snot nosed schoolboy.

SAMUEL MOSES CARDIFF

You're lucky to be alive. Next time your luck may not hold.

LUKE CARDIFF

Tomorrow I'll demand a transfer through McBryce. I want to be as far away from you as possible.

Luke storms off, Samuel stays standing under the tree. He looks out over the landscape. Snow starts to fall.

EXT. - NORTHERN VIRGINIA COUNTRYSIDE, NOVEMBER 1862 - NIGHT

Samuel has made his way back to camp. He sees Soldier 3 standing around a fire.

SOLDIER 3

LT. You okay?

SAMUEL MOSES CARDIFF

No, not right now. Luke around?

Soldier 3 points toward a nearby tent and says,

SOLDIER 3

In there. He went to bed an hour ago.

Samuel nods.

SOLDIER 3 (CONT'D)

I think I'll do the same,
Lieutenant.

SAMUEL MOSES CARDIFF

Good night.

Soldier 3 walks to his tent. Samuel sits on a box around the fire and stares into the flames.

EXT. - NORTHERN VIRGINIA COUNTRYSIDE, NOVEMBER 1862 - JUST AFTER DAWN THE NEXT MORNING

The camp is covered in a blanket of snow and fog. Samuel still sits by the fire, exactly where we left him the previous night. It is the only fire still burning in the camp. Other SOLDIERS emerge from their tents. They converge on the fire. No one says anything, it's too early and cold.

Luke steps out of his tent. Samuel sees him and stands.

SAMUEL MOSES CARDIFF

Here, Luke. Take this seat.

LUKE CARDIFF

You sure?

SAMUEL MOSES CARDIFF

Yeah. I've been sitting here all night. Time to get up and move around.

A gunshot rings out. Everyone turns and looks into the fog trying to see who is out there. Samuel looks at his arm.

At the elbow is a bullet hole. The shot missed him by less than a quarter of an inch.

SOLDIER 2

Rebs, Rebs!

We see through the fog a line of Confederate cavalry approaching at the trot. Steam rises from the horses' nostrils as they breathe.

SAMUEL MOSES CARDIFF

To arms! To arms! Form a skirmish line here!

The rifles are stacked a few feet away from the men. Samuel grabs his, as do the other Soldiers. Samuel feels the bore, its damp from the weather. He knows that it will not fire.

SAMUEL MOSES CARDIFF (CONT'D)

The bores are wet! They won't fire!
Use bayonets!

The Confederate cavalry breaks into a gallop. We hear the Rebel yell. The horses increase their pace into a full run. The Union Soldiers disperse.

Samuel sees a Reb with his saber raised headed straight towards the center of the camp. Rifle in hand with bayonet affixed, Samuel moves into a position where the horse and rider must past by him. He assumes the on guard position. The REBEL RIDER aims for him.

When the cavalryman is within ten feet of Samuel, he quickly moves to his right, which puts him on the left side of the horse. The Confederate rider is right handed, so now he is in an awkward position to slash Samuel with his saber. The rider hesitates and Samuel runs him through with his bayonet. The horse moves past and the rider is lifted from his saddle with Samuel standing as a pivot point. The Rebel Rider flies over Samuel's head and lands a few feet away. Samuel is knocked over on his back by the force of the collision.

Elsewhere in the camp two Union Soldiers have managed to get their rifles to fire. Two more of the Reb calvary are down, as are three of the Union Soldiers. With three of their cavalrymen killed, the remaining Rebs turn and flee. More Union Soldiers are able to fire and they pepper the Confederates with shots as they leave the area.

Samuel slowly regains his senses. He sees that the Rebs have left and his men are hurrying to dry and reload their rifles. He crawls over to the Confederate rider he speared with his bayonet. The bayonet is still in the man's stomach. Blood pours out all over the snow.

REBEL RIDER

You killed me good, Billy Yank. You damn sure killed me good.

SAMUEL MOSES CARDIFF

Is there anything I can do for you?

REBEL RIDER

My name is Henri Fulford. I'm from Waycross, Georgia. In my saddle I have papers. Get them to Stella.

SAMUEL MOSES CARDIFF

Stella?

REBEL RIDER

Yea, Stella. Give me your word?

SAMUEL MOSES CARDIFF

You have my word.

REBEL RIDER

See you in hell, Billy Yank.

SAMUEL MOSES CARDIFF

In hell, Johnny Reb.

The Rebel Rider dies. Samuel notices the revolver worn by the Rebel cavalryman. It's a LeMat pistol, a favored sidearm for mounted troops. He recognizes that the man was an officer. He stands up, bends down and removes the Reb's pistol belt and wraps it around his waist. He pulls the LeMat pistol out and holds it, checking the balance.

SAMUEL MOSES CARDIFF (CONT'D)

Been wanting one of these.

Behind him Samuel hears a voice cry out,

SOLDIER 2

LT come quick!

SAMUEL MOSES CARDIFF

In a minute.

Samuel is still examining his new gun.

SOLDIER 2

No! Come now! It's Luke!

Samuel turns and runs toward Soldier 2.

EXT. - NORTHERN VIRGINIA COUNTRYSIDE, NOVEMBER 1862 - SECONDS LATER

A group of Soldiers stands in a circle. Samuel breaks through and sees Luke lying on his back with a bullet wound in his neck. Samuel kneels and pulls Luke's shoulders and head to his thighs.

SAMUEL MOSES CARDIFF

Come on, Luke. Don't do this to me!
Quick faking. You did this when we
were boys, always faking to get out
of work.

Samuel shakes Luke's body. There is no response. Luke is gone.

SAMUEL MOSES CARDIFF (CONT'D)

Luke! Get up damn you! Don't make
me write Ma and tell her this. Get
up!

SGM MCBRYCE

Come on, boy-o. There's nothin' to
be done here. He died from the
first shot we heard fired. Never
had a chance, just bad luck.

Samuel looks at his shirt. He sees the bullet hole near his elbow. An inch the other way and he'd be minus an arm, but Luke would still be alive.

SGM McBryce reaches his hand down and puts it on Samuel's shoulder. Samuel pushes SGM McBryce away. He gently sets Luke back on the ground and stands up.

SAMUEL MOSES CARDIFF

Damn you Luke Cardiff! Damn you!

Samuel is crazed, he's lost it. He walks back over to the dead Rebel Rider. Standing over the dead man, Samuel shouts,

SAMUEL MOSES CARDIFF (CONT'D)

You stupid bastard! What were you
thinking? Let's get up and roust
the Yankees? Three of your men are
dead. My brother is dead. For what.
For what!

Samuel removes the revolver from his gun belt.

SAMUEL MOSES CARDIFF (CONT'D)

You like being dead? Hey, let's
kill you again. Won't that be fun?

Samuel fires two shots into the dead Rebel Rider.

SAMUEL MOSES CARDIFF (CONT'D)
Rebel scum!

After firing all the shots in the revolver save one, Samuel says,

SAMUEL MOSES CARDIFF (CONT'D)
One round left. What should I do
with that? I know.

Samuel places the revolver under his chin, intent on ending his own life. SGM McBryce, who has been standing close by, tackles Samuel and takes away the pistol.

SGM MCBRYCE
We will have none of that,
Lieutenant. No killin' yourself
today. That's the one sin God will
never forgive you for. God gave you
life, you can't go destroying it.
You hear me, Samuel?

SAMUEL MOSES CARDIFF
Get off of me.

SGM MCBRYCE
Tell me no more of this silliness.

SAMUEL MOSES CARDIFF
Get off of me! That's an order!

SGM McBryce stands and fires the last round in the pistol into the ground.

SAMUEL MOSES CARDIFF (CONT'D)
Give me back my pistol.

SGM McBryce turns the gun so that the handle faces Samuel. He gives him back the gun. Samuel holsters the LeMat. Samuel sees the Rebel Rider's horse standing nearby. The animal appears to be unharmed. He leads the horse towards a nearby tree and ties him there.

SOLDIER 2
We should shoot that horse and cook
it. That'd be fresh meat for a week
or more.

SAMUEL MOSES CARDIFF
You hurt this horse and I'll kill
you.

Soldier 2 recoils in fear; he wasn't expecting a harsh reprimand from his Lieutenant. Samuel unstraps the saddle bags, walks towards his tent and steps inside.

INT. - SAMUEL'S TENT, LATER THAT AFTERNOON - DAY

SGM McBryce announces himself at the front of the tent.

SGM MCBRYCE
Lieutenant, permission to enter.

SAMUEL MOSES CARDIFF
Come.

We see Samuel dressed in Confederate riding boots, a civilian shirt and the Rebel Rider's grey hat. On Samuel's bunk lays his uniform, Lieutenant's epaulets, journals and his cap. Samuel has his new Rebel revolver strapped to his waist.

SGM MCBRYCE
You goin' somewhere?

SAMUEL MOSES CARDIFF
Away from here.

SGM MCBRYCE
They'll hang you.

SAMUEL MOSES CARDIFF
I'll get the rope.

SGM MCBRYCE
What do you want done with this stuff?

As McBryce says this he points at the things left on the bunk.

SAMUEL MOSES CARDIFF
Burn it all.

SGM MCBRYCE
The ground is frozen so it's hard to make a proper hole. Six men died this morning, they are all goin' in the same grave.

SAMUEL MOSES CARDIFF
Understood.

SGM MCBRYCE
You goin' to the service?

SAMUEL MOSES CARDIFF
Will Luke miss me if I don't?

SGM MCBRYCE
If you do this, you can never go home. You'll be as good as dead to your family.

SAMUEL MOSES CARDIFF
I'm already dead. I came here for one reason, Sergeant. I was to look after my brother. I was to bring him home. I could never face my mother now.

SGM MCBRYCE
You're not thinking straight, sir.
I -

SAMUEL MOSES CARDIFF
Stop calling me, "sir". I'm no Officer. I never should have accepted that commission.

SGM MCBRYCE
You think running away is the answer?

SAMUEL MOSES CARDIFF
I'm not running away. I'm leaving.
I never should have been here.

EXT. - NORTHERN VIRGINIA COUNTRYSIDE, NOVEMBER 1862 - HALF AN HOUR LATER

Samuel walks from his tent and straps his saddle bags to his horse. He puts a rain slicker over the saddle bags. He ties a small bag of food and his canteen to the front of the saddle. SGM McBryce stands near him. There is no one else around.

SAMUEL MOSES CARDIFF
Everyone at the service?

SGM MCBRYCE
Yes. By the by, I never saw you leave.

SAMUEL MOSES CARDIFF
Don't take any chances, Sergeant. I don't want to you to get in trouble for my desertion.

SGM MCBRYCE

No worries there, boy-o. Where you
goin'

SAMUEL MOSES CARDIFF

West.

Samuel tips his grey hat to the Sergeant, who tips his hat
back at Samuel.

It's late in the day and there is not a cloud in the sky. We
watch as Samuel rides off in the direction of the setting
sun.

FADE TO BLACK.